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24 April 1974

MEMORANDUM FOR THE RECORD

SUBJECT: April ICRC Meeting

1. The ICRC meeting was held this morning in the Roosevelt Room of the White House with Dr. Cooke presiding in the absence of Dr. Rhoads.

2. Dr. Cooke announced that the Symposium is now fully on for April 30. Only some 75 people have been signed up to attend and all members were urged to do what they can to increase attendance. The auditorium holds slightly over 200 people and it would be desirable to have better attendance than 75. In particular, authorized classifiers are urged to be present. A member of the Muskie staff has asked to attend and has been invited to come. It was stressed that all presentations by speakers and others should be prepared on the assumption that the press may attend or get word of the symposium. The press, however, has not been invited.

3. Dr. Cooke announced also that the annual report is being typed and that it reflects the comments of all members.

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4. Bill Brown has received from the U. S. Attorney in New York a memorandum of law which was filed by the plaintiff [REDACTED] in a law suit apparently involving the Executive order. He will furnish copies of the memorandum to all members. Mr. Brown announced also that since the last meeting, the Justice Department has prepared the requested Presidential Order to delegate classification authority to the President's Personal Representative for Micronesian Status Negotiations. The draft Order has been sent to the White House and no word has been received as to action on it.

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5. Mr. Brown reported on several bills in Congress of interest to ICRC. His report was supplemented and modified by Mr. Dixon. Mr. Dixon advised that H.R. 12004 apparently is on the back burner. H.R. 12080 which passed the House by 383 to 8 is being held by the president pro tem of the Senate, apparently to permit S. 2543 to be acted upon by the Senate. He reported also of the efforts being made by the Department of Justice, with input in particular from DOD and CIA, to have amendments accepted by the Senate Committee staff people. Some progress in this area has been made and it is hoped there will be more. Mr. Dixon stressed the problem of strategy and of determining how far amendments may be pressed and at what stage. He indicated that Justice may propose a letter from the Attorney General to the Committee urging action on the most needed amendments. Mr. Brown advised that he has been advised by the Muskie staff people that Senator Muskie is introducing another bill in the next day or two and that hearings will be scheduled on that bill in the first three days and last three days of May. The Secretary of Defense, Chairman Rhoads and Mr. Brown are to testify during the first three days. All ICRC members probably will be asked to testify during the last three days of May.

6. Dr. Cooke distributed a letter to Mr. Brown from the Office of the Special Representative of Trade Negotiations. This follows the Committee action of last month and Mr. Brown's subsequent conversation with the Special Representative. The letter is the case for classification authority for the Special Representative. After some discussion, the Committee agreed to ask Mr. Brown to ask the Special Representative to state whether or not that office receives, or has in its possession, information which meets one or more of the classification definitions of the Executive order and is not information received from a department which classified it. If the answer is in the affirmative, Mr. Brown will then ask the Department of Justice to prepare the necessary Presidential Order granting authority to the Special Representative. The Special Representative would follow up his telephone conversation with a letter to the Committee for the Committee files. It was proposed that if an Order is issued by the President, the Special Representative would be advised by the Committee that it should renew its previous classification decisions to verify their correctness under the authority granted.

7. Mr. Brown distributed a memorandum of 19 April to all members reporting the final action of the Classification Abuse Definition Subcommittee. It was agreed to hold for next month Committee action on this paper and the Chairman requested that we be in a position to take final action at that time.

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8. [REDACTED] distributed several sheets which are now being used and are proposed for use by the Archivist in connection with the Archivist's action, in conjunction with the departments, to review existing documents which are 30 years old. The Committee was asked to be in a position to approve or disapprove the use of these papers as government-wide procedure concerning this problem.

9. At my instigation, there was some discussion of the desirability of reverting to the earlier procedure whereby there is a regular date for Committee meetings which would be followed except when necessary or desirable in any particular month. All agreed that this would be useful. I think the regular meeting is going to become the first Wednesday in the month, but this will not be done as early as May.

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[REDACTED]

Associate General Counsel

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cc: [REDACTED] C/ISAS
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